

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSPPI  
SOUTHERN DIVISION**

**SEAN LANCASTER**

**PLAINTIFF**

**vs.**

**No. 1:20-CV-0095-HSO-RPM**

**CITY OF BILOXI  
PATRICK J. GOTTE, INDIVIDUALLY  
AND IN HIS REPRESENTATIVE CAPACITY;  
JOHN MILLER, CHIEF OF POLICE, CITY OF BILOXI**

**DEFENDANTS**

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**ORDER GRANTING CITY OF BILOXI'S  
MOTION FOR SUMMARY JUDGMENT**

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**THIS MATTER** came before the Court on a Motion for Summary Judgment [ECF Dkt. #26] filed on behalf of the City of Biloxi pursuant to Rule 56 of the Federal Rules of Civil Procedure, and the Court, having reviewed the Response submitted on behalf of the Plaintiff, Sean Lancaster [ECF Dkt. #29] and noting that Lancaster concedes that the City of Biloxi is entitled to judgment as a matter of law as to any claim he has asserted for municipal liability or failure to adequately train and supervise pursuant to 42 U.S.C. § 1983, and further that he has withdrawn and dismissed any claims asserted as to the City of Biloxi under the Mississippi Tort Claims Act, and the Court finds that the City of Biloxi is entitled to judgment as a matter of law as to all claims in this cause.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that the City of Biloxi's Motion for Summary Judgment as to any and all claims asserted by the Plaintiff for municipal liability pursuant to 42 U.S.C. § 1983 is hereby granted and

those claims are hereby dismissed with prejudice.

**IT IS, FURTHER, ORDERED AND ADJUDGED** that the City of Biloxi's Motion for Summary Judgment as to any claims asserted by Sean Lancaster pursuant to 42 U.S.C. § 1983 for alleged failure to train and supervise is hereby granted and those claims are hereby dismissed with prejudice.

**IT IS, FURTHER, ORDERED AND ADJUDGED** that the City of Biloxi is entitled to summary judgment as to any claims asserted by Sean Lancaster pursuant to the Mississippi Tort Claims Act and those claims are hereby dismissed with prejudice.

**SO ORDERED** this the 17th day of February, 2021.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE

Prepared by:

**J. HENRY ROS, ESQUIRE**  
Mississippi Bar Number 5668  
**CURRIE JOHNSON & MYERS, P.A.**  
Attorneys at Law  
925 Tommy Munro Drive, Suite H  
Biloxi, Mississippi 39532  
(228) 385-1010  
(228) 385-1011 fax  
[hros@curriejohnson.com](mailto:hros@curriejohnson.com)